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SCHWEGMAN, LUNDBERG, WOESS

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Attorney's Docket No. 5214P001R

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of:

Joseph Kuriacose, et al.

Examiner: Kalinowski, Alexander G.

Application No.: 09/672,523

Art Group: 3626

Filing Date: September 27, 2000

For: Apparatus For Transmitting And Receiving  
Executable Applications As For A  
Multimedia System, And System To Order  
An Item Using A Distributed Computing  
System

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Attention: Office of the PetitionsPETITION TO EXPLUNGE UNDER 37 C.F.R. § 1.59(b)

Sir:

The Applicant hereby respectfully request that some of the documents submitted in the Information Disclosure Statement concurrently filed be expunged if they are found not to be important to a reasonable Examiner in deciding on patentability.

The documents to be expunged are:

1. The "Comm. Frame Specification", Doc. No.: 912621-A-01-01-1.3, Project: starscan Data Delivery, Customer: Northwest Starscan, from Adaptive Micro-Ware, Inc;
2. The "SkyPix System Design", Doc. No.: 920162-K-02-01-011, Project: SkyPix System, Customer: Starscan, from Adaptive Micro-Ware, Inc.
3. The "SkyPix System Specification", Doc. No.: 920162-K-02-01-0.2, Project: SkyPix Stem, Customer: Starscan, from Adaptive Micro-Ware, Inc.
4. The "Menu Object Data Specification", Doc. No.: 921001-A-01-01-0.4, Project: Menu Generation, Customer: Starscan, from Adaptive-Micro-Ware, Inc.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on

December 6, 2002

Date of Deposit

Genova Walls

Name of Person Mailing

Signature

December 6, 2002

Date

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5. The "Specification", Doc. No.: 921071-A-02-02-0.4, Project: Data Object Delivery Interface, Customer: Northwest Starscan, from Adaptive Micro-Ware, Inc.
6. The "Specification", Doc. No.: 900171-F-10-01-2.0, Project: Comm. Frame Data Specification, Customer: Starscan, from Adaptive Micro-Ware, Inc.
7. Reilly, Mark L., Critical Issues Update, Issue Heading: Comm. Frame Spec, October 28, 1991, from Adaptive Micro-Ware, Inc., Technology Development.
8. Reilly, Mark L., Memorandum, Subject: Fractional Channel Frame Formats, October 2, 1991, from Adaptive Micro-Ware, Inc., Technology Development.
9. Menu Object, Description: A Menu Object, An Image Bitmap, Palette Colors- Number of colors in palette, from Adaptive Micro-Ware, Inc.
10. Menu Header, Description: A Menu header, entry Count. The number of header entries to follow, Menu Scroll, Description: A menu scroll, Menu Footer, Description: A menu footer, Info Block, Description: An information block, from Adaptive Micro-Ware, Inc.

The applicants hereby submit that the information contained in the above documents is proprietary material that has not been otherwise made public.

The applicants hereby commit to retain the information in the above documents for the period of any patent with regard to which the information is submitted.

The applicants submit that this Petition to Expunge is being submitted on behalf of the parties in interest who originally submitted the information.

Enclosed is the fee set forth in 35 CFR 1.17 (b) under 37 CFR 1.59(b). If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: 12/6/02 ~~2002~~

  
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Petition to Expunge

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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
LOS ANGELES

Application No: 09/072,623 Filing Date: 09/27/00 BPTZ Docket #: 005214.P001R Atty/Sec: ALB/AXU/gw  
 Date Mailed: 12/18/2002 Document Date(s): Client: AT&T/AT&T

Title: Apparatus For Transmitting And Receiving Executable Applications As For A Multimedia System, And System To Order An Item Using A Distributed Computing System

Inventor(s): Kurt Lewin

The following has been received in the U.S. Patent & Trademark Office on the date stamped herein:

|   |  |
|---|--|
| <input type="checkbox"/> Amendment: (___ pgs)                         | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08 (___ pgs)            |
| <input type="checkbox"/> Appeal Brief & two copies (___ pgs)          | <input type="checkbox"/> Issue Fee Transmittal (original & copy)                           |
| <input type="checkbox"/> Application: (___ pages w/ cover & abstract) | <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)            |
| <input type="checkbox"/> Assignment & Cover Sheet (___ pgs)           | <input type="checkbox"/> Notice of Appeal  |
| <input checked="" type="checkbox"/> Certificate of Mailing            | <input checked="" type="checkbox"/> Petition for: <u>To Examine</u>                        |
| <input type="checkbox"/> Continued Prosecution Application (CPA)      | <input type="checkbox"/> Request for Continued Examination (RCE)                           |
| <input type="checkbox"/> Declaration & PDA (___ pgs)                  | <input type="checkbox"/> Reply Brief (___ pgs)   |
| <input type="checkbox"/> Drawings: ___ sheets, ___ figures            | <input type="checkbox"/> Request to Reconsider Previous Nonpublication Request             |
| <input type="checkbox"/> Express Mail No.:                            | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter          |
| <input type="checkbox"/> Extension of Time:                           | <input type="checkbox"/> Terminal Disclaimer   |
| <input checked="" type="checkbox"/> Fee Transmittal (original & copy) | <input type="checkbox"/> Transmittal of Formal Drawings                                    |
| <input checked="" type="checkbox"/> Other: <u>Postcard</u>            | <input type="checkbox"/> Transmittal of Publication Fee Due                                |
|   | <input type="checkbox"/> Transmittal Letter  |
|   | <input checked="" type="checkbox"/> Check No. <u>1584</u> in the Amount of <u>\$130.00</u> |
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3J  
 Assignee: OpenTV, Inc.

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BY: [Signature] DATE: 12/18/02